IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO.720 OF 2006

Mukesh Babu Securities Ltd. & Anr.. Petitioner

V/s.

Union of India & Anr. ... Respondent

Mr. N.H. Seervai, Sr. Counsel i/b. M & M Legal Venture for the petitioner.
Mr. Y.S. Bhate with Mr. N.R. Prajapati for respondent No. 1.
Mr. V.K. Rambhadran with Ms. V.M. Daver for respondent No.2.

CORAM : F.I. REBELLO,
ANOOP V. MOHTA,JJ.
DATED : 18th April, 2006

P.C.

. Considering the facts of this case as the petitioner has remedy by way of an appeal under Section 20 L of the Securities Contracts (Regulation) Act, 1956 we do not think this to be a fit case for this Court to exercise its extra ordinary jurisdiction.

2. The learned counsel points out that respondent should not raise the issue of delay in preferring the appeal. The order was passed on 25th January, 2006. The petition is preferred before this Court on 6th March, 2006 and it is disposed of today. Considering

that, bearing in mind the principle of exclusion of period when parties were prosecuting proceedings bonafidely, time so taken before the Court should be excluded and appeal to be filed within 45 days excluding the period so spent.

3. With the above observations, petition stands disposed of.

[F.I. REBELLO, J.]

[ANOOP V. MOHTA, J.]